

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
San Francisco Division

JAMES OLLISON,  
Plaintiff,

v.

ALAMEDA HEALTH SYSTEMS, et al.,  
Defendants.

Case No. 20-cv-04944-LB

**ORDER DISMISSING CASE**

Re: ECF Nos. 38, 40

After a hearing, the court previously dismissed the complaint because there was no viable EMTALA claim, and the state claims are time barred.<sup>1</sup> In a very sad case, it was a good hearing: sometimes the best that the courts can offer is due process. The court gave leave to amend, but the plaintiff did not amend, understandably. Now there are two pending motions: Alameda Health Systems' motion to dismiss because the plaintiff did not file an amended complaint, and Paramedics' motion to dismiss.<sup>2</sup> (Paramedics was not part of the first round of motions). The court's earlier order disposed of all claims. The plaintiff did not file an amended complaint. In addition, as Paramedics points out, the plaintiff did not serve it properly.<sup>3</sup>

<sup>1</sup> Order – ECF No. 36.

<sup>2</sup> Mots. – ECF Nos. 38, 40.

<sup>3</sup> Mot. – ECF No. 38 at 4.

1 The court can address the pending motions and the procedural context of the case without oral  
2 argument. N.D. Cal. Civ. L. R. 7-1(b). For the reasons advanced by the defendants in their  
3 respective motions, the court dismisses the case with prejudice and will enter a separate judgment  
4 in favor of the defendants. The parties will bear their own costs.

5 This disposes of ECF Nos. 38 and 40.

6 **IT IS SO ORDERED.**

7 Dated: February 9, 2021



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9 LAUREL BEELER  
United States Magistrate Judge

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